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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,666	04/24/2001	Mitsuhiro Tanaka	70868/55581	6486

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EXAMINER

NGUYEN, HOAN C

ART UNIT PAPER NUMBER

2871

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

09/841,666

Applicant(s)

TANAKA ET AL.

Examin r

HOAN C. NGUYEN

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-- The MAILING DATE of this c mmunicati n appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

Applicant's election of Group II (claims 6-12) in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Barr et al. (US5534208A).

In regard to claims 6-9, Barr et al. teach (Figs. 3-10) an apparatus for producing an optical film comprising:

- a cylindrical die roller 12 having a matrix formed on a surface thereof in which a plurality of rows of concave portions or convex portions that are linearly continuous are adjacently formed in parallel with one another so as to be inclined at a predetermined angle with respect to a circumferential direction of the die roller,

- means (pressure roller 14) for transferring a rough face of a die film to a surface of another film 36, the rough face being produced by rotating the die roller on the die film and having convex portions or concave portions that are linearly continuous.

2. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by TAKEDA et al. (JP408071801A).

TAKEDA et al. Teach (Fig. 1) a method of producing a die roller, the method comprising the steps of:

- placing a tip end of a cutting tool 13 on a surface of a cylindrical roller which is rotated about a rotation axis, and
- reciprocating the cutting tool along an axis of the cutting tool to form a row of concave portions in the surface of the roller; and at the same time moving the cutting tool in a direction parallel to the rotation axis of the roller with the roller rotating to form from the row of concave portions a row of concave portions which is inclined at a predetermined angle with respect to a circumferential direction of the die roller.

3. Claims 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Munakata (US4911096).

Munakata teaches (Figs. 6A-C) an apparatus for laminating an optical film on a substrate, the apparatus comprising:

- means for supplying a stacked member consisting of an optical film 12 and a die film 11 having a rough face on which the optical film is stacked, on a substrate 2;
- means (pressing) for making the supplied stacked member in close contact with the substrate;
- means for bonding together the stacked member and the substrate which are closely in contact with each other; and
- means for stripping the die film 11 from the stacked member bonded to the substrate so as to obtain the substrate to which the optical film (Fig. 6C) having a rough face is bonded.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Denney et al. (US6513414B1) disclose an apparatus for continuously shaping a compressible or cellular polymer material, such as polyurethane foam, by cutting portions of the material from a surface of a slab of the material includes a compression roller, a support surface, a blade and a moving patterned platform interposed between the compression roller and the support surface.

Maro et al. (US 5804300A) disclose a laminate comprising a sealing medium layer, a base film and a silicon oxide layer, a thermoplastic resin layer and an outer substrate are further laminated outside the silicon oxide layer at the same time the

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thermoplastic resin layer is formed, by extruding a thermoplastic resin between the outer substrate and the silicon oxide layer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (703) 306-0472. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0530.

HOAN C. NGUYEN  
Examiner  
Art Unit 2871

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May 8, 2003

  
TOANTON  
PRIMARY EXAMINER